

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

NORTHERN DYNASTY MINERALS,
LTD., *et al.*,

Plaintiffs,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, *et al.*,

Defendants,

and

BRISTOL BAY NATIVE
ASSOCIATION, INC., *et al.*,

Intervenor-Defendants.

Case No. 3:24-cv-00059-SLG

CONSOLIDATED

LEAD CASE

STATE OF ALASKA,

Plaintiff,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY,

Defendant,

and

TROUT UNLIMITED, *et al.*,

Intervenor-Defendants.

Case No. 3:24-cv-00084-SLG

CONSOLIDATED

ILIAMNA NATIVES, LTD, *et al.*,
Plaintiffs,

v.

ENVIRONMENTAL PROTECTION
AGENCY, *et al.*,

Defendants,

and

BRISTOL BAY ECONOMIC
DEVELOPMENT CORPORATION, *et*
al.,

Intervenor-Defendants.

Case No. 3:24-cv-00132-SLG
CONSOLIDATED

**ORDER CONSOLIDATING RELATED CASES AND SCHEDULING ORDER RE
ADMINISTRATIVE RECORDS**

On October 16, 2024, the Court notified the parties of its intent to consolidate the following related cases and accorded the parties 14 days to respond to the notice:

1. Case No. 3:24-cv-00059-SLG, *Northern Dynasty Minerals, Ltd., et al. v. United States Environmental Protection Agency, et al.*
2. Case No. 3:24-cv-00084-SLG, *State of Alaska v. United States Environmental Protection Agency*
3. Case No. 3:24-cv-00132-SLG, *Iliamna Natives LTD., et al. v. Environmental Protection Agency, et al.*

Of the parties who responded, none opposed consolidation, and one took no position. Some requested briefing rights and some expressed concern about the briefing schedule.

Upon due consideration, IT IS ORDERED that the cases *State of Alaska v. United States Environmental Protection Agency*, Case No. 3:24-cv-00084-SLG, and *Iliamna Natives, LTD., et al. v. Environmental Protection Agency, et al.*, Case No. 3:24-cv-00132-SLG, are hereby consolidated, but not merged, with *Northern Dynasty Minerals, et al. v. United States Environmental Protection Agency*, Case No. 3:24-cv-00059-SLG, which case shall be the lead case. This order is authorized by Rule 42 of the Federal Rules of Civil Procedure and is warranted based on the similarity of the cases and parties, shared questions of facts and law, and in the interests of efficiency and judicial economy. The case caption is AMENDED as shown above. All further filings in these consolidated cases shall be made only in the *Northern Dynasty* case.

IT IS FURTHER ORDERED that only the parties to the *Northern Dynasty* case are permitted to participate in briefing related to the challenge to the United States Army Corps of Engineers' April 2024 Record of Decision. The schedule for the resolution of issues regarding the Army Corps of Engineers' administrative record is as set forth in the order in the *Northern Dynasty* case at Docket 124.

IT IS FURTHER ORDERED that briefing on the EPA's administrative record in the three consolidated cases is STAYED pending further order of the Court. The parties in the cases shall file a status report or motion(s) proposing a briefing schedule for any motions to supplement EPA's administrative record, or a notice

that the EPA administrative record is complete, on or before **December 13, 2024**.
(See Docket 122 in *Northern Dynasty* case).

IT IS FURTHER ORDERED that within two weeks after both administrative records are complete, including the resolution of any motion to supplement the record(s) by the Court, the parties shall file a proposed schedule for further briefing and proceedings in these consolidated matters.

DATED this 12th day of November 2024, at Anchorage, Alaska.

/s/ Sharon L. Gleason
UNITED STATES DISTRICT JUDGE